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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,904	12/02/2003	Kei Roger Aoki	16952CON1CIP3 (BOT)	4172
7590 01/31/2006				
STEPHEN DONOVAN ALLERGAN, INC. T2-7H 2525 Dupont Drive Irvine, CA 92612		<div>EXAMINER</div> <div>GUPTA, ANISH</div> <div>ART UNIT</div> <div>PAPER NUMBER</div> <div>1654</div> <div>DATE MAILED: 01/31/2006</div>		

Please find below and/or attached an Office communication concerning this application or proceeding.



*Election/Restrictions*

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-5, drawn to method of treating strabismus using botulinum toxin, classified in class 514, subclass 2.
  - II. Claims 6-10, drawn to method of treating blepharospasm using botulinum toxin, classified in class 514, subclass 2.
  - III. Claims 11-14, drawn to method of treating cervical dystonia using botulinum toxin, classified in class 514, subclass 2.
  - IV. Claims 15-19 and 27, drawn to method of treating neuromuscular disorders using botulinum toxin, classified in class 514, subclass 2.
  - V. Claims 20-27, drawn to method of treating cholinergic influenced secretion, classified in class 514, subclass 2.

All of the methods of Group I-V, even though they utilize the same agent, are independent and distinct due to the disorders being treated. Strabismus is disorder of the eye in which the visual axes of the eyes are not parallel and the eyes appear to be looking in different directions, blepharospasm is a spasm of the eyelid muscle resulting in closure of the eye, and cervical dystonia Uncontrolled or slow movement is defined as an impairment of the muscle tone (usually in large muscle groups), causing slow involuntary contractions of the neck. Thus, all of the disorders cited have different etologies, different population groups, different modes of treatment. The mode of administration for cervical dystonia would be vastly different than for stabismus.

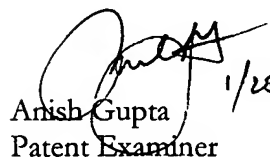
Art Unit: 1654

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II-V and vice versa, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anish Gupta whose telephone number is (571)272-0965. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bruce Campell, can normally be reached on (571) 272-0974. The fax phone number of this group is (571)-273-8300.

  
Anish Gupta  
Patent Examiner